

**National Center for  
Law and Economic  
Justice**  
275 Seventh Avenue  
Suite 1506, New York,  
NY 10001  
(212) 633-6967

**Natural Resources  
Defense Council**  
40 West 20th Street  
New York, NY 10011  
(212) 727-2700

**Proskauer Rose LLP**  
11 Times Square  
New York, NY 10036  
(212) 969-3000

**Paul, Weiss, Rifkind,  
Wharton & Garrison  
LLP**  
1285 Avenue of the  
Americas, New York,  
NY 10019  
(212) 373-3000

**Herzfeld & Rubin, P.C.**  
125 Broad Street  
New York, NY 10004  
(212) 471-8500

July 12, 2021

Honorable Loretta A. Preska  
United States District Court - Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, Courtroom 12A  
New York, NY 10007-1312

Re: *Baez, et al. v. New York City Housing Authority (NYCHA)*, No. 13-cv-8916 (WHP)

Dear Judge Preska:

This letter is written on behalf of all parties in accordance with Judge Pauley's<sup>1</sup> Memo Endorsement dated June 15, 2021, which directed the parties to submit a status letter to the Court by July 12, 2021. *See* ECF No. 346. This matter has a long procedural history. In light of the recent reassignment of this matter, the parties would of course be pleased to have a status conference with Your Honor whenever convenient for the Court in order to explain the current status and answer any questions Your Honor may have.

In the meantime, and by way of very brief background, a Revised Consent Decree was "so ordered" by the Court on November 29, 2018. *See* ECF No. 220. On December 21, 2020, the Plaintiffs filed a motion to enforce the Revised Consent Decree. *See* ECF Nos. 293-295. In denying the Plaintiffs' motion, the Court ordered the parties to "propose either a further revised consent decree that includes all class members or a proposed pre-trial schedule for litigating this action." ECF No. 331.

Since the Court's denial of Plaintiffs' motion, the parties have, most recently in consultation with former Magistrate Judge Francis (who has been serving as a mediator in this matter) been engaging in negotiations to "propose . . . a further revised consent decree that includes all class members," and those negotiations are still ongoing. The parties require further time to determine whether they can reach mutually-agreeable terms. Accordingly, the parties propose submitting a further status report to the Court by August 16, 2021. If, shortly before that time, the parties are continuing to work toward a resolution, we may seek another extension of time. If not, the parties will request that a status conference be scheduled before Your Honor.

Respectfully submitted,

/s/ David A. Picon

SO ORDERED.  
*Loretta A. Preska* 7/12/2021

<sup>1</sup> The parties were deeply saddened to learn of the passing of Judge Pauley, who has been instrumental to this case since its inception. We are immensely grateful to have been given the opportunity to appear before him and witness firsthand his steadfast commitment to fairness, equity, and process for all parties.

**National Center for  
Law and Economic  
Justice**  
275 Seventh Avenue  
Suite 1506, New York,  
NY 10001  
(212) 633-6967

**Natural Resources  
Defense Council**  
40 West 20th Street  
New York, NY 10011  
(212) 727-2700

**Proskauer Rose LLP**  
11 Times Square  
New York, NY 10036  
(212) 969-3000

**Paul, Weiss, Rifkind,  
Wharton & Garrison  
LLP**  
1285 Avenue of the  
Americas, New York,  
NY 10019  
(212) 373-3000

**Herzfeld & Rubin, P.C.**  
125 Broad Street  
New York, NY 10004  
(212) 471-8500

David A. Picon

cc: All counsel of record (via ECF)